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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,309	03/16/2000	Steven B. Wilson	202731	2263

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EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2161

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/527,309	Applicant(s) WILSON, STEVEN B.	
	Examiner Susan Y. Chen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28,40,49 and 50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28,40,49 and 50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to the amendment filed on 12/06/2005.

Claims 28, 40, 49 and 50 are pending for examination, claims 28 and 40 have been amended; claims 49-50 have been newly added.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 28 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claims 28, the claimed subject matter "a domain controller... assigning thread priority for the pruning module ..." is new because the instant specification fails to disclose the links or mechanism for the claimed domain controller to perform the claimed assigning thread priority operation.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 28, 40, 49 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 28, 40 and 49, it is not understood who assigns the claimed thread priority for the pruning module and what mechanism was used to determine the claimed "times of relatively low utilization of the computer network".

As to claim 50, this claim has the same defect from its base claim, hence are rejected for the same reason.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 28, 40, 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,692,129 issued to Sonderegger et al. (hereinafter referred as Sonderegger) in view of U.S. Patent No. 6,021,425 issued to Waldron et al. (hereinafter referred as Waldron).

As to claim 28, Sonderegger discloses a system for managing a directory of published objects and removing nonfunctional objects via directory service maintained on a computer network as claimed by applicant [e.g., Abstract, col. 2, Brief Summary of the Invention section; Fig(s). 1-11 and associated texts], wherein, the system comprising:

a) a pruning module [e.g., the snap-in module, col. 2, lines 61-67] including a module for testing if a specified object, from the directory of published printable objects, is accessible [e.g., the database object access control interface tool can access and replicate application objects including working directory, drive mappings and printers port object, etc., col. 3, lines 1-23], a module for determining if the specified objects is delete-able [e.g., the updating or final cleaning module of the application launcher, col. 3, lines 24-42] and a module for testing if software hosting the specified object is capable of republishing the specified object [e.g., the database object replication interface tool, col. 3, lines 21-23; the Application Launcher (50, Fig. 2); col. 3, lines 24-42; Fig(s). 9-10 and associated texts];

b) using a thread for executing the pruning module [e, g., col. 19, lines 44-51].

Sonderegger did not expressly disclose a list of orphaned objects is tested in accordance with a specifiable policy that monitors the specified object with a low priority thread to determine if the specified object is orphaned and assigning the thread priority sufficient to allow the pruning to be accomplished during times of relative low computer network utilization.

However, Waldron disclosed a system [e.g., the units: 10, 12 and 14 of Fig. 1 and associated texts] for managing a directory of published objects [e.g., col. 4, lines 4-5] over a computer network, he further disclosed a list of orphaned objects [e.g., the unit 106, Fig. 2 and associated texts] is tested in accordance with a specifiable policy [e.g., the use of a graphic user interface with a Round-Robin task/thread scheduling and a timer to assign priority sufficient to allow the execution of preempt/terminate of the task processing based on the tracking of application programs usage in a network environment, Abstract, lines 5-23; col. 5, lines 1-55 and the context switching logical flow of Fig(s). 2-3b and associated texts].

Sonderegger and Waldron have common subject matters as a system for managing a directory of published objects over a computer network via software interface tool, therefore, it would have been obvious for an ordinary skilled artisan to modify Sonderegger's interface tool with the technique taught by Waldron because by doing so, the combined system will provide an optimized user interface tool that gives the user the feel of instantaneous responsiveness of the tasks/threads processing and

preempting tasks/threads or removing the low priority tasks/threads accordingly, as such, the combined will support real-time application efficiently [e.g., Waldron: col. 5, lines 15-43].

As to claims 40, 49-50, these claim recite the same features of claim 28 in form computer-implemented method with different wording, hence, are rejected for the same reason.

Response to Arguments

Applicant's arguments with respect to claim 28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2161

Sept. 28, 2005



UYEN LE
PRIMARY EXAMINER